

PROB 12C  
(7/93)

**United States District Court**  
**for**  
**District of New Jersey**  
**Petition for Warrant or Summons for Offender Under Supervision**

**Name of Offender:** Donesha Walls

**Docket Number:** 09-00452-001

**PACTS Number:** 49785

**Name of Sentencing Judicial Officer:** HONORABLE STANLEY R. CHESLER  
UNITED STATES DISTRICT JUDGE

**Date of Original Sentence:** 11/16/2009

**Original Offense:** BANK FRAUD-CONSPIRACY TO COMMIT BANK FRAUD-CONSPIRACY TO DEFRAUD A FINANCIAL INSTITUTION

**Original Sentence:** 27 months imprisonment; 5 years supervised release. Special conditions: Alcohol/Drug Testing and Treatment; Mental Health Treatment; New Debt Restrictions; Financial Disclosure.

**Type of Supervision:** supervised release

**Date Supervision Commenced:** 12/31/09

**Assistant U.S. Attorney:** Andre M. Espinosa, 970 Broad Street, Room 502 Newark, New Jersey 07102 (973) 645-2700

**Defense Attorney:** Frank P. Arleo, Esq., Penn Federal Building, 622 Eagle Rock Avenue, West Orange, New Jersey 07052 (973) 736-8660

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**PETITIONING THE COURT**

- ☒ [X] To issue a warrant  
☐ [ ] To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number      Nature of Noncompliance

1                      The offender has violated the standard supervision condition which states 'You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.'

The offender has used illegal substances. Specifically, on January 6, 2010, she tested positive for Marijuana and Ecstasy. On January 26, 2010, she tested positive for Cocaine. On February 1, 2010, the offender tested positive for Marijuana.

2                      The offender has violated the standard supervision condition which states 'You shall notify the probation officer within 72 hours of being arrested or

**questioned by a law enforcement officer.'**

The offender failed to report law enforcement contact that occurred on February 26, 2010, to the undersigned within the specified time frame of 72 hours. This is evidenced by the Irvington Police Department Investigation Report in which she filed a complaint against Reginald Graham for Simple Assault and Terroristic Threats.

- 3       The offender has violated the standard supervision condition which states **'You shall notify the probation officer within 72 hours of any change of residence or employment.'**

The offender failed to report a change of address to the undersigned. This is evidenced by her listing her address on an Irvington Police Department Investigation Report dated February 26, 2010, as 160 Union Avenue, #3L, Irvington, New Jersey 07111. This was not her reported address on file during this time period.

- 4       The offender has violated the special supervision condition which states **'You shall cooperate in the collection of DNA as directed by the probation officer.'**

The offender failed to report for DNA testing on a scheduled date of April 1, 2010.

- 5       The offender has violated the standard supervision condition which states **'You shall not commit another federal, state, or local crime.'**

The offender was arrested on May 2, 2010, by the Irvington Police Department for the charges of Criminal Mischief and Criminal Trespass. Although such charges were dismissed in Irvington Municipal Court on June 16, 2010, the offender admitted her actions to the undersigned. On May 10, 2010, she admitted to screaming back and forth with Reginald Graham. When he locked her out of his residence, she began banging on his door and screaming; a neighbor subsequently called the police. Damage on the apartment door occurred as a result of this incident.

- 6       The offender has violated the standard supervision condition which states **'You shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.'**

The offender failed to report law enforcement contact that occurred on July 14, 2010, to the undersigned within the specified time frame of 72 hours. This is evidenced by an Irvington Police Department Investigation report in which she filed a complaint against Reginald Graham for Simple Assault.

- 7       The offender has violated the special supervision condition which states **'You shall refrain from the illegal possession and use of drugs, including prescription medication not prescribed in your name, and the use of alcohol, and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that you shall submit to evaluation and treatment, on an outpatient or inpatient basis, as approved by the U.S. Probation Office. You shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged by the Court. You shall alert all medical professionals of any prior substance abuse history, including any prior**

history of prescription drug abuse. The Probation Officer shall supervise your compliance with this condition.'

On July 15, 2010, the offender was discharged from The Bridge, where she received substance abuse and mental health counseling. The discharge was due to a failure to comply with the attendance policy.

8

The offender has violated the mandatory supervision condition which states 'As a condition of supervision, you are instructed to pay restitution in the amount of \$856,309.00 to Bank of America, Wachovia Bank, E-LOAN Inc., Mortgage Lenders Network, LLC, People's First Choice Credit Union; it shall be paid in the following manner: no less than \$50 per month.'

The offender has failed to make any payments toward her court-ordered restitution. Her outstanding balance is \$856,309.00.

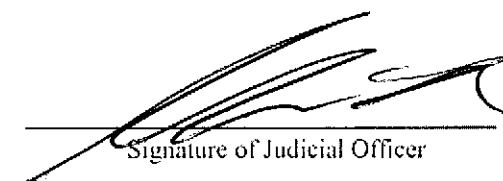
I declare under penalty of perjury that the foregoing is true and correct.

By: Susan E. Karlak  
Senior U.S. Probation Officer  
Date: 9/3/10

7-rem Ar  
S. Karlak  
9/3/10

THE COURT ORDERS:

- ☒ The Issuance of a Warrant  
☐ The Issuance of a Summons. Date of Hearing: \_\_\_\_\_  
☐ No Action  
☐ Other

  
Signature of Judicial Officer

9/7/2010

Date

UNITED STATES DISTRICT COURT  
PROBATION OFFICE  
DISTRICT OF NEW JERSEY

CHRISTOPHER MALONEY  
CHIEF PROBATION OFFICER

September 3, 2010

THOMAS S. LARSON  
SUPERVISING U.S. PROBATION OFFICER

200 FEDERAL PLAZA  
ROOM 130  
P.O. BOX 2097  
PATERSON, NJ 07509-2097  
(973) 357-4080  
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The Honorable Stanley R. Chesler,  
United States District Judge  
Martin Luther King Jr. Federal Building & Courthouse  
P.O. Box 0999  
Newark, New Jersey 07102-0999

RE: U.S. v. WALLS, Donesha  
Dkt. No. 09-00452-001  
Request for a Violation of Supervised Release  
Hearing & Issuance of a Warrant

Dear Judge Chesler:

On November 16, 2009, the above-named offender was sentenced by Your Honor to a term of 27 months imprisonment followed by 5 years supervised release. Special conditions ordered were as followed: drug treatment/urinalysis; mental health treatment; financial disclosure; new debt restrictions; and DNA collection. The offense of conviction was Bank Fraud-Conspiracy to Commit Bank Fraud-Conspiracy to Defraud a Financial Institution, in violation of Title 18, United States Code § 1349.

At this time, we allege that the offender has violated the terms of her supervision. She has used illegal substances, has been discharged from a substance abuse and mental health facility, failed to notify the undersigned of contact with law enforcement within the allotted time frame, committed new criminal conduct, and has failed to make any payments on her restitution. Given the facts of this case, and taking into consideration the nature of the violations, it appears that a violation hearing is warranted at this time.

Aside from the cited violations, the offender has been involved in a volatile relationship with her ex-boyfriend, and the undersigned has learned that the offender (although instructed not to do so) has been contacting him via text messages and telephone calls. As of recently, she had left, what the undersigned perceived to be threatening, a message on his current girlfriend's telephone. The undersigned believes that the level of possible danger is escalating between all parties involved. In reviewing her presentence report, it was revealed that the offender has a past conviction for a harassment charge for similar conduct.

In view of the cited instance of non-compliance, it is recommended a warrant be issued so that the offender can answer these charges and show cause why she should not be considered in

Honorable Stanley R. Chesler

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violation of her term of supervised release. Be assured that our office will continue to monitor this case of any further developments.

If Your Honor concurs with our recommendation, please sign the enclosed *Probation Form 12C*. If Your Honor requests an alternative course of action, please advise. Also attached for your review is the *Probation Form 12D*. We will make ourselves available should the Court wish to discuss this matter. You may contact the undersigned at the telephone number listed above.

Very truly yours,

CHRISTOPHER MALONEY, Chief  
U.S. Probation Officer

A handwritten signature in black ink, appearing to read "Susan E. Karlak", written over a horizontal line.

By: Susan E. Karlak  
Senior U.S. Probation Officer

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